

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT ON ATTORNEY FEES IN A CIVIL CASE**

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**VICKI L. LaFRENIERE**

vs.

**CASE NUMBER: 7:09-CV-0167  
(GTS/VEB)**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security**

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**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that the Report-Recommendation of Magistrate Judge Bianchini is ACCEPTED and ADOPTED in its entirety. The Commissioner's motion for judgment on the pleadings is DENIED, the Plaintiff's motion for judgment on the pleadings is GRANTED and this action is REMANDED to the Commissioner of Social Security for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A different Administrative Law Judge is to be assigned to this action on remand.

**IT IS FURTHER ORDERED** that Plaintiff is awarded payment under the Equal Access to Justice Act in the amount of four thousand, two hundred and twenty-nine dollars (\$4,229.00) in attorney fees, three hundred and fifty dollars (\$350.00) in costs, and eighty dollars (\$80.00) in expenses.

All of the above pursuant to the Orders of the Honorable United States District Judge Glenn T. Suddaby, dated the 22<sup>nd</sup> day of September, 2010 and the 22<sup>nd</sup> day of November, 2010.

DATED: November 22, 2010



Lawrence A. Baum  
Clerk of Court

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s/ Melissa Ennis  
Melissa Ennis  
Deputy Clerk